IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.249 OF 2007
IN
WRIT PETITION NO.638 OF 2007

Anwar Khazorwala & Ors.....Petitioners

Vs.

The State of Maharashtara & Ors...Respondents

Mr. J. Rais with Mr. Munir Merchant for the Petitioner.
Mrs. P.A. Purandhare for respondent No.2.
Mr. Leroy Collaco for respondent No.3.
Respondent No.3 in person present.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATED : 27th April, 2007

P.C.

. We have disposed of the petition by order dated 27th April, 2006. We have, however, made it clear that if compliances in terms of the order had not been done it was open to the respondent No.2 to take action which they are entitled to in law.

2. The present motion has been taken out by petitioners for modification of the order dated 27th April, 2006. In the course of hearing of the Motion on behalf of Respondent No.3, who is present in Court, learned Counsel on instructions makes a statement that the illegal part of the construction will be demolished by respondent No.3 himself on or before 30th June, 2007. Respondent No.2 in fact was to commence the work of

demolition. Considering the statement made on behalf of the respondent No.3, Respondent No.2 not to take steps till 1st July, 2007 to enable the respondent No.3 himself to remove the illegal construction. If by 30th June, 2007 the illegal construction is not removed the respondent No.2 to take steps according to law. With the above observation Motion disposed of.

(F. I. REBELLO, J.)

(ANOOP V. MOHTA,J.)